



CITY OF TEMPE REQUEST FOR COUNCIL ACTION

Council Meeting Date: 12/13/2012
Agenda Item: 5D1

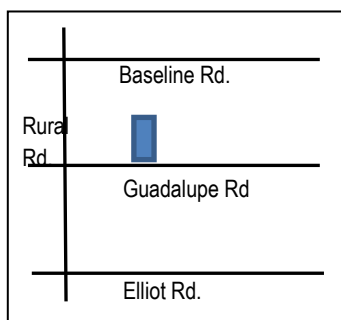
ACTION: Second and final public hearing to adopt an ordinance for a Zoning Map Amendment from R-3 Multi-family to CSS Commercial Shopping and Service to allow an existing 3,964 s.f. building on .4 acres to be used for a pet care facility for DOGGIE DISTRICT, located at 932 E Guadalupe Road. The applicant is Nelson Tressler of Doggie District Partners 3 LLC. (Ordinance No. 2012.52)

FISCAL IMPACT: While this ordinance change does not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

RECOMMENDATION: Staff –Approval, subject to conditions
Development Review Commission – Approval, subject to conditions

BACKGROUND INFORMATION: DOGGIE DISTRICT (PL120298). The property is located on the north side of Guadalupe Road, east of Rural Road. The site is zoned for multi-family residential but was built for and used as childcare from 1975 until summer 2012. Since the closure of Sun Tykes childcare, the building has remained vacant. Although a childcare use was allowed within the R-3 zoning district, pet care is not an allowed use in multi-family. The applicant is requesting the zoning change to CSS to bring the property into conformance with the General Plan and in alignment with the commercial properties to both the east and west of the site. CSS zoning provides the appropriate setbacks for the existing building. A use permit is necessary for the allowance of pet care within the commercial zoning district. The Development Review Commission approved a use permit for this request, contingent upon approval of the zoning change. Doggie District plans to upgrade the exterior façade, lighting, landscaping and play yards for the property to aesthetically enhance the building and site. The request includes the following:

ZON12008 Zoning Map Amendment from R-3 Multi-family to CSS Commercial Shopping and Service



Property Owner	Randy Phillips, Sun Tykes LLC
Applicant	Nelson Tressler, Doggie District Parnters 3 LLC
Current Zoning District	R-3 Multi-family residential
Net Acres	.409
Building Area	3,964
Parking Required	13 spaces
Parking Provided	13 spaces

ATTACHMENTS: Ordinance, Development Project File

STAFF CONTACT: Lisa Collins, Interim Community Development Director (480) 350-8989

Department Director: Lisa Collins, Interim Community Development Director
Legal review by: Teresa Voss, Assistant City Attorney
Prepared by: Diana Kaminski, Senior Planner

COMMENTS:

The site is located on the north side of Guadalupe Road with PCC-1 Planned Commercial Center zoning to the west and south. R/O Residential Office zoning to the east wraps the site to the north; further north is R1-15 Single Family. There is no multi-family within the block of this property, making the R-3 multi-family zoning an anomaly within the area. The General Plan Land Use designation is Commercial for this site. PCC-1 is intended for a larger commercial development, requiring large set-backs that the existing building on this site cannot meet. R/O zoning is intended for less intensive commercial such as office uses, and does not allow pet care as a use. In looking at the existing building footprint and comparing the setbacks within the R-3 and CSS districts, the CSS zoning appeared to be the most consistent and compatible for zoning development standards and use. The childcare use that formerly occupied this site for thirty seven years was a compatible use for the area. Pet care would utilize the same building in a similar manner, with modifications necessary for animals. There will be three separated play yards for three different size of dogs. Each area will have shade, slides and climbing/crawling equipment and a play pool for exercise. There are indoor play areas and suites for weather that does not permit outdoor play. A small retail area will provide pet products for clients to purchase. The Development Review Commission has approved a Use Permit, contingent upon zoning amendment approval. For further processing, the applicant will be applying for an administrative Development Plan Review for exterior elevation and landscape modifications to bring the site up to contemporary standards of design.

Public Input

A neighborhood meeting was held on October 8th on site. Staff attended with the applicant and a local representative. No residents showed up for the meeting. However, staff received one call from a resident very supportive of the concept, and hoping the proposed use opens quickly. No additional comments were received during the public hearing at the Development Review Commission.

Conclusion

Based on the information provided by the applicant, public input received and the above analysis, staff recommends approval of the requested Zoning amendment. This request meets the required criteria for approval and will conform to the conditions of approval.

REASON(S) FOR APPROVAL:

1. This request meets the approval criteria of Section 6-304 C.2. for a Zoning amendment:
 - a. The proposed zoning amendment is in the public interest.
 - b. The proposed zoning amendment conforms with and facilitates implementation of the General Plan

SHOULD THE CITY COUNCIL ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

CONDITIONS OF APPROVAL:

- 1. Any non-conforming lighting shall be upgraded to meet current light levels in parking, pedestrian areas and at doorways for the safety of customers and staff.
- 2. Replace all dead or missing landscape material on site.
- 3. Provide bicycle parking for 2 bicycles using City of Tempe Public Works Department bicycle rack detail T-578 standard.
- 4. Submit plans for shade canopy on west side of building, this was installed by prior tenant without permits. Any proposed new modifications to site must be submitted for Development Plan Review prior to installation.
- 5. Development Plan Review is required for all exterior modifications and a separate permit is required for signage.

HISTORY & FACTS:

April 2, 1975	Design Review Board approved building and landscaping for Mary Moppet childcare at 932 E Guadalupe Rd. Building construction was completed by fall of 1975.
May 18, 1988	Design Review Board approved signage for Sun Tykes Center childcare at 932 E Guadalupe Rd.
June 2012	Sun Tykes closed business.
October 23, 2012	Development Review Commission approved a request for a Use Permit to allow a pet care facility at this location, subject to approval of a zoning change from R-3 to CSS Commercial Shopping and Service.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-304, Zoning Map Amendment